

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Gwong-Jen J. Chang

Application No. 09/826,115

Filed: April 4, 2001

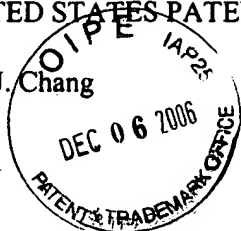
Confirmation No. 4134

For: NUCLEIC ACID VACCINES FOR
PREVENTION OF FLAVIVIRUS INFECTION

Examiner: Jeffrey S. Parkin, Ph.D.

Art Unit: 1648

Attorney Reference No. 6395-64908-01



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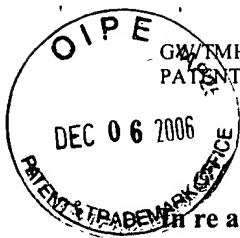
- ☒ Copy of Office communication dated September 27, 2006 (8 pages)
- ☒ Communication to the Examiner (1 page)
- ☒ Exhibit A including:
 - ☒ Copy of Information Disclosure Statement submitted July 27, 2001 (2 pages)
 - ☒ Copy of Form 1449 (4 pages)
 - ☒ Copy of Return Postcard from PTO acknowledging receipt (1 page)
- ☒ Exhibit B including:
 - ☒ Copy of Information Disclosure Statement submitted February 15, 2002 (2 pages)
 - ☒ Copy of Form 1449 (2 pages)
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- ☒ Please update PTO records to reflect Attorney Reference No. 6395-64908-01.
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Respectfully submitted,

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By
Gwynedd Warren, Ph.D.
Registration No. 45,200



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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COMMUNICATION TO THE EXAMINER

Enclosed as Exhibit A are copies of an Information Disclosure Statement ("IDS") and 1449 Form previously submitted in this application to the U.S. Patent and Trademark Office ("PTO") on July 27, 2001. Also enclosed as part of Exhibit A is a copy of the return postcard dated July 30, 2001, acknowledging receipt by the PTO of the IDS, 1449 Form, and accompanying paper copies of the references.

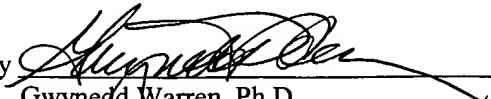
Enclosed as Exhibit B are copies of an IDS and 1449 Form previously submitted in this application to the PTO on February 15, 2002. Also enclosed as part of Exhibit B is a copy of the return postcard dated March 1, 2002, acknowledging receipt by the PTO of the IDS, 1449 Form, and accompanying paper copies of the references.

As a courtesy to the Examiner, a copy of this filing is being provided directly via facsimile number (571) 273-0908.

These documents are being submitted as evidence of the proper submission and receipt by the Patent and Trademark Office of the cited references. Copies of the cited references are available in electronic form in the related U.S. Patent Application No. 10/500,796. Applicants respectfully request consideration of the documents properly cited during prosecution of this application, and that these documents be listed as references cited on the issued patent.

Respectfully submitted,
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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/826,115 | 04/04/2001 | Gwong-Jen J. Chang | 14114.0332U3 | 4134 |

46135 7590 09/27/2006
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EXAMINER

PARKIN, JEFFREY S

ART UNIT PAPER NUMBER

1648

DATE MAILED: 09/27/2006

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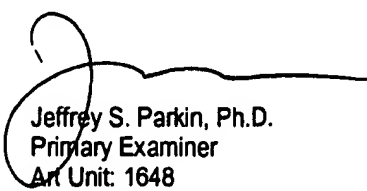
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The information disclosure statements (IDSs) (dated 27 July, 2001, and 15 February, 2002) that accompanied the communication dated 03 February, 2006, fail to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered. Applicants state that these IDSs were provided earlier, however, no such electronic record of these documents is present. Additionally, none of the cited references were present in the electronic application. Applicants are invited to resubmit these IDSs along with the proper mailing documentation. Legible copies of each reference should also be provided pursuant to 37 CFR 1.98(a)(2). Applicants should clearly identify any documents that were submitted in an earlier filed copending application if they are not providing additional copies.


Jeffrey S. Parkin, Ph.D.
Primary Examiner
Art Unit: 1648

ATTORNEY DOCKET NO. 14114.033203
 SERIAL NO. 09/826,115
 Page 1 of 4

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| Form PTO-1449 U.S. DEPARTMENT OF COMMERCE (Rev. 7-80) PATENT AND TRADEMARK OFFICE | | ATTORNEY DOCKET NO.: 14114.033203 | | SERIAL NO. 09/826,115 | |
|---|---|-----------------------------------|------------------|----------------------------------|-----------|
| LIST OF PRIOR ART CITED BY APPLICANT (Use several sheets if necessary) | | APPLICANT: Chang | | FILING DATE: April 4, 2001 | |
| | | | | GROUP: <u>Unassigned</u> 1648 | |
| U.S. PATENT DOCUMENTS | | | | | |
| EXAMINER INITIAL | DOCUMENT NO. | DATE | NAME | CLASS | SUBCLAS S |
| AA | 5,514,375 | 05/07/96 | Paolletti et al. | 424 | 199.1 |
| AB | 5,494,671 | 02/27/96 | Sel et al. | 424 | 218.1 |
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| AF | WO 99/63095 | 12/09/98 | PCT | | |
| AG | WO 93/06214 | 04/01/93 | PCT | | |
| AH | WO 92/03545 | 03/05/92 | PCT | | |
| AI | WO 90/01946 | 03/08/90 | PCT | | |
| OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.) | | | | | |
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| EXAMINER: _____ DATE CONSIDERED: 09/20/06 | |
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* References were not considered because the IDS
fails to comply with 37 CFR. 1.97 and 1.28.

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 Page 1 of 2

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| LIST OF PRIOR ART CITED BY APPLICANT (Use several sheets if necessary) | | APPLICANT: Cheng | | FILING DATE: April 4, 2001 | |
| | | | | GROUP: Unassigned 1648 | |
| U.S. PATENT DOCUMENTS | | | | | |
| EXAMINER INITIAL | DOCUMENT NO. | DATE | NAME | CLASS | SUBCLASS |
| | 81 | 6,345,477 | 12/26/00 | IVY et al. | |
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| OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.) | | | | | |
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 Page 2 of 2

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| EXAMINER: <u>[Signature]</u> DATE CONSIDERED: <u>09/20/06</u> | |
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* References were not considered because the IDS failed to comply with 37 C.F.R. 1.97 + 1.98.



ATTORNEY DOCKET NO. 14114.0332U3
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Chang

Serial No.: 09/826,115

Filed: April 4, 2001

For: NUCLEIC ACID VACCINES FOR
PREVENTION OF FLAVIVIRUS INFECTION

Group Art Unit: Unassigned

Examiner: Unassigned _____

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

NEEDLE & ROSENBERG, P.C.
Suite 1200, The Candler Building
127 Peachtree Street, N.E.
Atlanta, Georgia 30303-1811

July 27, 2001

Sir:

Submitted herewith on form PTO 1449 is a listing of documents known to applicants and/or their attorneys in compliance with the requirements of 37 C.F.R. § 1.56. A copy of each of these documents is enclosed.

Consideration of the cited documents and making the same of record in the prosecution of the above-noted application are respectfully requested.

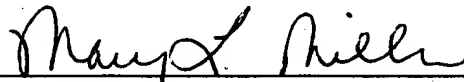
Applicants believe that this Information Disclosure Statement is being filed in accordance with 37 C.F.R. § 1.97(b)(3), i.e., before the mailing date of the first Office Action on the merits pertaining to the above-referenced application. Therefore, no fee is believed to be due. However, if a fee is



required, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 14-0629.

Respectfully submitted,

NEEDLE & ROSENBERG, P.C.



Mary L. Miller

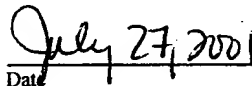
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Mary L. Miller



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Form PTO-1449
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PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO.: 14114.0332U3

SERIAL NO. 09/826,115

APPLICANT: Chang

LIST OF PRIOR ART CITED BY APPLICANT
(Use several sheets if necessary)

FILING DATE: April 4, 2001

GROUP: Unassigned

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NO. | DATE | NAME | CLASS | SUBCLAS S | FILING DATE IF APPROPRIATE |
|------------------|----|--------------|----------|-----------------|-------|-----------|----------------------------|
| | AA | 5,514,375 | 05/07/96 | Paoletti et al. | 424 | 199.1 | |
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| <table border="1" style="width: 100%;"> <tr> <td style="width: 30%;">EXAMINER:</td> <td style="width: 30%;"></td> <td style="width: 30%;">DATE CONSIDERED:</td> <td style="width: 10%;"></td> </tr> </table> | | EXAMINER: | | DATE CONSIDERED: | |
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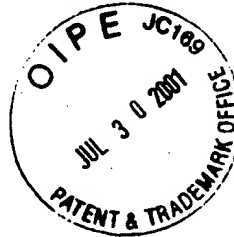
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- (X) 69 References
- (X) Certificate of Mailing: July 27, 2001



IN RE APPLICATION OF: Chang

TITLE: "NUCLEIC ACID VACCINES FOR PREVENTION OF FLAVIVIRUS INFECTION"

SERIAL NO.: 09/826,115

FILED: April 4, 2001

REF. NO.: 14114.0332U3

(MLM/WBD:prt)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Chang

Confirmation No. 4134

Serial No. 09/826,115

Filed: April 4, 2001

For: "NUCLEIC ACID VACCINES FOR
PREVENTION OF WEST NILE VIRUS
INFECTION AND NONINFECTIOUS
ANTIGEN FOR DIAGNOSTIC TEST"

Group Art Unit: 1642

Examiner: Unassigned

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT SUBMITTED
IN ACCORDANCE WITH THE PROVISIONS OF 37 C.F.R. §1.97(b)**

Commissioner for Patents
Washington, D.C. 20231

NEEDLE & ROSENBERG, P.C.
Suite 1200, The Candler Building
127 Peachtree Street, N.E.
Atlanta, Georgia 30303-1811

February 15, 2002

Sir:

Submitted herewith on Form PTO 1449 is a listing of documents known to applicants and/or their attorneys pursuant to the requirements of 37 C.F.R. §1.56. A copy of each of these documents is enclosed.

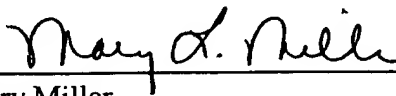
Consideration of the cited documents and making the same of record in the prosecution of the above-noted application are respectfully requested.



As these documents are considered to be timely filed, no fee is believed due. However, the Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

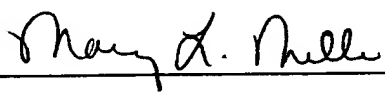
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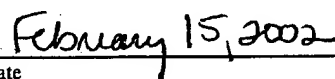
Mary Miller
Registration No. 39,303

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Mary Miller



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| U.S. PATENT DOCUMENTS | | | | | | | |
| EXAMINER INITIAL | | DOCUMENT NO. | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
| | B1 | 6,165,477 | 12/26/00 | Ivy et al. | | | |
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| FOREIGN PATENT DOCUMENTS | | | | | | | |
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| OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.) | | | | | | | |
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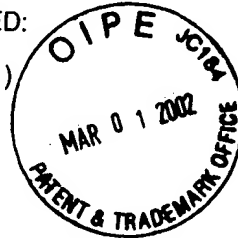
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| B13 | Lai et al. Immunization of Monkeys with Baculovirus Recombinant-expressed Dengue Envelope and NS1 Glycoproteins Induces Partial Resistance to Challenge with Homotypic Dengue Virus. In <i>Vaccines 90: Modern Approaches to New Vaccines including Prevention of AIDS</i> , Cold Spring Harbor Laboratory, Cold Springs Harbor, NY pp. 119-124 (1990) |
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IN THE NAME(S) OF: Chang
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INFECTION AND NONINFECTIOUS ANTIGEN FOR DIAGNOSTIC TEST"
APPLN. SERIAL NO. 09/826,115 FILING DATE: APRIL 4, 2001
ATTORNEY DOCKET NO.: 14114.0332U3 (MLM/WBD:tmh)

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- ☐ **GRAY SCALE DOCUMENTS**
- ☒ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
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